

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ORLANDO ALSTON,

Plaintiff,

-against-

KATHLEEN SEBELIUS, HHS Secretary;
BEATRICE DISMAN, SSA NY Regional
Commissioner; NIRZA NEGRON MORALES,
HUD Director of Public Housing; MICHAEL
WALKER, HHS Director of Media Services;
NIRAI SHAH, MD Commissioner NYS Managed
Care; DARRYL C. TOWNES, Commissioner/CEO
NYS HCR Statewide Section 8; LOUISE C.
FINKELL, Director of OAH; EDWARD P.
MANGANO, County Executive; JOHN E. IMHOF,
PhD - Commissioner NC DSS; JOHN SARCONI,
Executive Director OHCD; SARAH SMITH, Deputy
Director LDSS APS; JANET HUNTER MCSHEA,
LDSS Social Welfare Examiner Medicaid Services;
HOUSING AND URBAN DEVELOPMENT [HUD];
HEALTH AND HUMAN SERVICES [HHS];
SOCIAL SECURITY ADMINISTRATION [SSA];
and THE STATE OF NEW YORK [NYS]
AGENCIES - DIVISION OF HOMES AND
COMMUNITY RENEWAL [DHCR], DEPARTMENT
OF HEALTH [DOH], OFFICE OF TEMPORARY
AND DISABILITY ASSISTANCE [ODTA], OFFICE
OF ADMINISTRATIVE HEARINGS [OAH], and
LOCAL (PROGRAM) ADMINISTRATORS [LA] -
COUNTY OF NASSAU [NC] DEPARTMENT OF
SOCIAL SERVICES [LDSS] AND OFFICE OF
HOUSING AND COMMUNITY DEVELOPMENT
[OHCD],

Defendants.

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FEUERSTEIN, District Judge:

ORDER

13-CV-4537 (SJF)(ARL)

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E D N Y
★ OCT 22 2013 ★
LONG ISLAND OFFICE

On August 9, 2013, plaintiff¹ filed a civil rights complaint pursuant to 42 U.S.C. §§ 1983, 1985 and 1988 against defendants Kathleen Sebelius, Health and Human Services (“HHS”) Secretary; Beatrice Disman, Social Security Administration (“SSA”) New York Regional Commissioner; Nirza Negron Morales, Housing and Urban Development (“HUD”) Director of Public Housing; Michael Walker, HHS Director of Media Services; Nirai Shah, Md. Commissioner New York State Managed Care; Darryl C. Townes, Commissioner/CEO of the New York State Division of Homes and Community Renewal (“DHCR”) Statewide Section 8; Louise C. Finkell, Director of the Office of Administrative Hearings (“OAH”); Edward P. Mangano, Nassau County Executive; John E. Imhof, PhD. - Commissioner of the Nassau County Department of Social Services (“NCDSS”); John Sarcone, Executive Director Office of Housing and Community Development (“OHCD”); Sarah Smith, Deputy Director NCDSS APS; and Janet Hunter McShea, NCDSS Social Welfare Examiner Medicaid Services, accompanied by, *inter alia*, an application to proceed *in forma pauperis*.

On September 30, 2013, plaintiff filed an amended complaint, *inter alia*, adding the following entities as additional defendants: HUD, HHS, SSA, DHCR, the New York State Department of Health (“DOH”), the New York State Office of Temporary and Disability Assistance (“ODTA”), the OAH, the NCDSS and the OHCD.

Since plaintiff’s financial status, as set forth in his declaration in support of his application to proceed *in forma pauperis*, qualifies him to commence this action without prepayment of the filing fees, see 28 U.S.C. § 1915(a)(1), plaintiff’s application to proceed *in*

¹ Plaintiff purports to bring this action as a class action on behalf of the Inwood Terrace Apartments Tenants. However, “[a] person who has not been admitted to the practice of law may not represent anybody other than himself.” Guest v. Hansen, 603 F.3d 15, 20 (2d Cir. 2010); see 28 U.S.C. § 1654.

forma pauperis is GRANTED.

The Court has been informed that plaintiff has repeatedly been sending documents to two (2) *pro se* writ clerks in the Clerk's Office via email for filing, even after he was told by one (1) of the clerks that he was not permitted to do so. The Court's *pro se* manual advises all *pro se* litigants, in relevant part, as follows:

"By standing order of the Court, all *pro se* litigants must submit their papers to the *Pro Se* Office (unless specifically directed by the Judge to submit papers directly to that Judge's chambers). Papers can be filed with the *Pro Se* Office in person or by mail; the *Pro Se* Office does not accept faxes or email. The *Pro Se* Office files the original papers in the Clerk's Office and will send any required courtesy copies to the Judge's chambers." (Emphasis in original).

Accordingly, plaintiff is hereby

ORDERED to desist from sending any correspondence or documents for filing to the Court, the Court's staff, the *Pro Se* Office or the Clerk's Office via email. The Court will not read or consider the content of any such email, and any document sent via email will not be accepted for filing or filed in the Clerk's Office. Any documents plaintiff intends to file with the Court must be submitted either in person, at the Court's Intake Counter, or by mail.

The Clerk of the Court is directed to: (1) issue a summons as to each defendant; (2) forward copies of the summonses, the amended complaint, this Order and the Notice of Hearing dated October 16, 2013 to the United States Marshal Service for service upon defendants without prepayment of fees; and (3) serve notice of entry of this Order in accordance with Rule 77(d)(1) of the Federal Rules of Civil Procedure.

SO ORDERED.

s/ Sandra J. Feurstein

Sandra J. Feuerstein
United States District Judge

Dated: October 22, 2013
Central Islip, New York